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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,986	05/25/1999	HIDENORI YAMANAKA	Q54509	9754

7590 06/05/2002

SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 200373202

EXAMINER

PRATT, CHRISTOPHER C

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 06/05/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/317,986

Applicant(s)

YAMANAKA ET AL.

Examiner

Christopher C. Pratt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 25 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,6,8 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,6,8,10 and 18-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Applicant's amendments and accompanying remarks filed 3/25/02 have been entered and carefully considered. Applicant's arguments are not found persuasive of patentability for reasons set forth herein below.

Election/Restrictions

2. Claims 19-20 have been rejoined.

Claim Objections

3. Claims 6 and 8 are objected to because of the following informalities: In the preamble of each claim please replace the word "down" with "blown." Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 18, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukata (4454189), as set forth in the last two actions.

Applicant has not amended the claims in an attempt to overcome the prior art. Applicant argues that Fukata does not anticipate claims 1 and 18 because Fukata's range of .9-2.0 does not "touch" applicant's claimed range of 1.05-1.20. Applicant maintains that Fukata's range is too large to encompass applicant's claimed range.

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Applicant contends that Fukata only exemplifies values of .9, 2.0, and 3.0 and that Fukata must disclose a ranger precisely within applicant's claimed range. It is the examiner's position that Fukata discloses applicant's claimed range because, as applicant acknowledges, Fukata clearly teaches a range between .9 and 2.0. Fukata does not state that the range can be anything between 0 and 100, but specifically limits the range to between .9 and 2.0. It is the examiner's position that this is a sufficiently narrow range to anticipate 1.05-1.20. Said rejection is maintained from the last action.

Claim Rejections - 35 USC § 103

6. Claims 1, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harwood et al (6130292), Ikeda et al (4950529), or Aerback (EP 709499) each in view of Fukata (4454189), as set forth in the last two actions.

Applicant's traversal of this rejection rests on the argument that Fukata does not teach applicant's claimed range. Said rejection is maintained for the reasons set forth above.

7. Claims 6, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harwood et al (6130292), Ikeda et al (4950529), or Aerback (EP 709499) each in view of Fukata (4454189) and Senga (EP 353717).

Applicant refers to a previously answered response, which argues that Senga falls outside the range of the corresponding molar ratio ranging from .0001 to .003 in the

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present application. This argument is not persuasive because Senga teaches .003 (abstract). Said rejection is maintained from the last action.

8. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harwood et al (6130292), Ikeda et al (4950529), or Aerback (EP 709499) each in view of Fukata (4454189), Senga (EP 353717), and either Yu (5266674), Stone et al (5079079), or Ramsey (4923971).

Yu, Stone and Ramsey all teach arylene sulfide repeating units substituted with applicant's claimed materials. It would have been obvious to a person having ordinary skill in the art to utilize the modified polyarylene sulfide taught by Yu, Stone, and Ramsey in the combination of Harwood, Ikeda, Aerback, Fukata, and Senga. Such a modification would have been motivated by the desire to impart additional strength to said combination.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Pratt whose telephone number is 703-305-6559. The examiner can normally be reached on Monday - Friday from 7 am to 4 pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Christopher C. Pratt
May 28, 2002



TERREL MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700